



PATENT  
879-282P

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANTS:** Kiyotaka KANEKO, et al.

**APPLICATION NO.:** **NEW**  
(Reissue of U.S. Patent No. 4,899,212)

**FILING (i.e., § 102(e)) DATE:** August 26, 1988

**FOR:** White Balance Adjusting Device for a Camera

**COMBINED REISSUE DECLARATION AND POWER OF ATTORNEY**

As the below named Inventors, We hereby declare as follows:

That our names, residences, and citizenship's are as indicated below.

That we have reviewed and understand the contents of the attached Reissue Application including original claims 1-6.

That we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulation, Section 15(a).

That we verily believe that we are the original, first, and only Inventors of the invention described and claimed in United Stated Patent No. 4,899,212 entitled "WHITE BALANCE ADJUSTING DEVICE FOR A CAMERA" and in the foregoing specification for which invention we respectfully solicit a Reissue Patent.

That we do not know and do not believe that the same invention was ever known or used before our invention or discovery thereof; or patented or described in any printed publication in any country before our invention or discovery thereof, or more than one (1) year prior to the filing of our original application for United States Letters Patent No. 4,899,212 of which that is an application for Reissue; or in public use or on sale in the United States of America for more than one (1) year prior to the filing of the original application; or that the invention has been patented or made the subject of any Inventor's Certificate issued before the date of the original application in any country foreign to the United States of America on an application filed by us or our legal representatives or Assignees more than twelve (12) months prior to said original application and that no application for patent or Inventor's Certificate have been filed by us or our legal representatives or Assignees in any country foreign to the United States of America before the application of the original patent.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

We do not know and do not believe the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by us or our legal representatives or assigns, except as follows.

We hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of the foreign applications for patent listed below:

Insert Priority Information: (if appropriate)	Prior Foreign Application(s)			Priority Claimed	
	<u>Number</u>	<u>Country</u>	<u>Month/Day/Year Filed</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	<u>62-214382</u>	<u>Japan</u>	<u>08/28/1987</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<u>62-214383</u>	<u>Japan</u>	<u>08/28/1987</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

We hereby claim the benefit under Title 35, United States Code, §120 of the U.S. application listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the U.S. application in the

manner provided by the first paragraph of Title 35, United States Code, §112. We acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the filing date of this application.

07/236,992 <u>07/366,210</u> (Application Number)	August 26, 1988 <u>June 15, 1989</u> (Filing Date)	Abandoned <u>Patented</u> (Status)
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That we verily believe that there are errors in the original patent which make such original patent partially invalid by reason of claiming more than we had a right to claim and that such errors occurred without any deceptive intent.

That the claims of original application were directed to a white balance adjusting device for a camera.

That for these reasons, there was an error in the original patent claims which renders the original patent partially invalid by claiming more than we had a right to claim.

That the errors lie in claims 1-6 of the original patent that have scope broader than the patentees had a right to claim. More specifically, in claim 1, the control means, in combination with the other recited elements, does not particularly point out a distinction of the originally patented invention over U.S. Patent 5,170,069 to Sakai. In claim 4, the control means in combination

with the other recited elements does not particularly point out the distinction of the originally patented invention over the Sakai patent. The errors are considered to be corrected by the cancellation of claims 1-3, the amendments to claim 4, and the addition of claim 7-14.

That the above cited errors are not necessarily comprehensive of all the errors, but merely reflect some of the errors.

That, however, all errors being corrected in this Reissue Application up to the time of filing this Declaration arose without deceptive intent on the part of Applicants.

That, upon review of the prior art cited during the examination of the original application, and uncovered in Interference No. 103,000, we do not believe that any of documents disclose or suggest the invention as set forth in any of the claims 4-14.

Applicants hereby appoint the following as their attorneys, with full power of substitute and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith, and request that all correspondence with respect to this application be directed to:

Raymond C. Stewart	(Reg. No. 21,066)
Terrell C. Birch	(Reg. No. 19,382)
Joseph A. Kolasch	(Reg. No. 22,463)
James M. Slattery	(Reg. No. 28,380)
Bernard L. Sweeney	(Reg. No. 24,448)
Michael K. Mutter	Reg. No. 29,680)
Charles Gorenstein	(Reg. No. 29,271)

Gerald M. Murphy, Jr.	(Reg. No. 28,977)
Leonard R. Svensson	(Reg. No. 30,330)
Terry L. Clark	(Reg. No. 32,644)
Andrew D. Meikle	(Reg. No. 32,868)
Marc S. Weiner	(Reg. No. 32,181)
Joe McKinney Muncy	(Reg. No. 32,334)
Donald J. Daley	(Reg. No. 34,313)
John W. Bailey	(Reg. No. 32,881)
John A. Castellano	(Reg. No. 35,094)
Gary D. Yacura	(Reg. No. 35,416)

Send Correspondence to:

**BIRCH, STEWART, KOLASCH & BIRCH, LLP** or  
**Customer No. 2292**  
P.O. Box 747 • Falls Church, Virginia 22040-0747  
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

WHEREFORE, the Applicants hereby offer to surrender, upon the allowance of said application, the original of said Letters Patent and respectfully request that Letters Patent be reissued to Applicants for the invention of patent claims 4-14, claims 1-3 being new cancelled, claim 4 being newly amended, and claims 7-14 being newly added.

The undersigned declares further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

States Code and that such willful false statements may jeopardize validity of the application or any reissue patent issuing thereon.

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3  
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FOR: White Balance Adjusting Device for a Camera

**ASSENT OF ASSIGNEE TO REISSUE, AND OFFER TO SURRENDER,  
PATENT NO. 4,899,212**

The undersigned, Assignee of the entire interest of U.S. Patent No. 4,899,212 by virtue of an Assignment duly recorded in the Assignment Records of the U.S. Patent and Trademark Office on August 26, 1988 at Reel 4954, Frames 287-288, hereby (1) assents to the accompanying reissue application, and (2) offers to surrender the original Letters Patent.

Date: December 4, 2000

By: Tatsushi Murakami  
Tatsushi MURAKAMI  
Senior Technical Associate of  
Intellectual Property Division,  
Fuji Photo Film Co., Ltd.  
(Title)